

## MORALS IMPERATIVES REFLECTION IN THE CONSTITUTION OF THE REPUBLIC OF BELARUS

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*The separate constitutional norms dealing with the moral subject are being seen in this article. They are analyzed through the prism of main principles which the legislator and law enforcement people are directed by in their lawmaking activity.*

The Constitution of the Republic of Belarus is the main law of the country. According to this statement, it holds of national legislative basic principles and lead of the governmental policy in the most important life spheres of a person and a state. [4] Every norm is filled with the definite elements due to its structure and regulates particular social relations. Therefore all the legislature of the Republic is formed on the basis of the Constitutional provisions. According to this point of view it becomes obvious that moral contents of main law of the country are necessary to be thoroughly appreciated because the whole system of law relations in the society and state is formed through its realization.

Moral appreciation of moral norms involves the process of thinking, containing the set of changing stages, from the lawmaking activity planning the law rules realization and the attitudes of the people whose interests are touched by the law enforcement person, to these norms of law reality. [2]

The understanding of moral imperatives essence in the Constitution is closely connected with the understanding of the idea of morality itself which is known to be modified through society development. In this work's context we will understand the morality as moral virtues and nonmaterial needs, which on the one hand are believed by the legislature in a specific rule, and on the other hand are appreciated by the society.

Furthermore it is considered to be necessary to understand the basic idea of our work. This is moral imperative. Under this term we understand general law, the highest demand the most important principle, that is to be followed, without any discussions and doubts. It is this moral maxima which is widespread over the whole mankind without any exception.

For clearer understanding of our research main problem, it's necessary to see and analyze the general and particular points of the moral and law rules, in the context of their nature and essence.

Moral and law norms, as you know, firstly are social norms and possess general peculiarities of enactments. Secondly they are main behavior regulators. Then, they have the same goal to regulate people's behavior with the strategic task to keep, and develop society as a whole and are based on Justice as the highest moral principle. And finally, law and morality are the measure of individual's freedom, define its frames.

Despite the fact that there are some common integrant positions the particular elements which separate these ideas from each other exist.

One of the most important elements separating the ideas of law and morality is the statement, that they have different regulation subjects. The proof of this statement is the specific subject of moral regulation – friendship, love mutual aid etc where the law, as the regulator, demanding outside control for its rules implementation and supposing the ability of state mandative realization cannot and doesn't have to penetrate. However there are law regulating spheres where morality can't be involved because of their disability to be appreciated morally due to their nature: they are neutral ethically. We can find the subject of techno-judicial rules among these spheres.

Moral evaluation of constitutional norms is directly connected with the basic legislative principles of the Republic of Belarus, which are humanism, legality, social direction, social interests priority, the equality of law relation participants, property inviolability and others Let's look through the connection of morals positions and exact rules, bearing the wad of generally compulsory basic.

From above mentioned facts it's clear, that law and morality interact. Law is the form of moral realization. Moral foundations ideas of Constitutional norms are reflected in Chapter I, p.1, art.2 "Person, his/her rights, freedoms and sponsons of their realization are the highest values and goals of our society and state".[1] This formulation is the exact reflection of the principles of humanism, reproducing ethic principle, obliges, gradually realize the idea of humanism in the whole legislature beginning from the Constitution it self.

Next example of morals imperatives reflection in the Constitution is the principle of legality. "...The state, all its bodies and officers will act in the frames of the Constitution and the legislative acts adopted in accord with the Constitution...". [1] The important demands of moral character are resulted from above mentioned principle. The officers representing the state organs don't have any rights to cede to the local influence. They must be directed by the rules of law. They mustn't be directed by the advice, requests of private

people and enterprises, despite their position. Acting in the interests of the whole people and on behalf of fulfilling its will, expressed in the law, the officers are ruled by the law, their moral principles, their conscience.

As for the principle of social directivity, the bright, example of it is the provision ... "The workers possess the right for rest. For hired workers this right is determined by the working week limitation not overstepping 40 hours, reduced the night work's period, representation of the annual paid holidays, weekends." [1]

In this provision one can see the exact direction to achievement of social justice and the place of an individual in it.

The moral position of the legislator is directed to the keeping the health and moral welfare of the working people money compensation for the breaking such welfare.

So, the question of cooperation of constitutional rules and morals norms, or the question of the morals, imperatives presence in the main law of our country isn't settled. But in accordance with above mentioned examples, one can make the definite intermediate conclusion dealing with common features of morals and law in modern Belarusian law, state and society.

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